

### **Amendment to the Claims**

The listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of claims**

1. (Canceled)
2. (Previously presented) The method of claim 12, wherein the wireless data network is a CDMA2000 network.
3. (Previously presented) The method of claim 2, wherein determining that the data connection is lost includes receiving a refusal of service message from the wireless data network.
4. (Currently amended) The method of claim 3, wherein the refusal of service message is one of a ~~retry order~~ Retry Order, a Reorder Order and a Release Order.
5. (Currently amended) The method of claim 4, further including intializing a back off timer on receipt of the refusal of service message~~3, wherein the refusal of service message is a reorder order.~~
6. (Currently amended) The method of claim 3, wherein the refusal of service message is an Intercept Message~~intercept message and the connection request is automatically transmitted upon detection of a new wireless data network.~~
7. (Currently amended) The method of claim~~4~~5, wherein initializing the back off timer is based on a random seed.

8. (Currently amended) The method of claim ~~7~~ 5, wherein the back off timer is initialized to a time greater than or equal to any back off timer time calculated after a last established data connection.
9. (Currently amended) The method of claim ~~14~~ 5, wherein initializing the back of timer is based on a retry delay specified by a Retry Order ~~retry order~~.
10. (Original) The method of claim 9, wherein the back off timer is initialized to a time greater than or equal to the retry delay.
11. (Canceled)
12. (Currently amended) A method of automatically maintaining ~~re-establishing~~ a data connection on a wireless data network, comprising:
  - determining, at minimum fixed time intervals determined by a service check timer, the status of a previously established data connection ~~status upon the expiry of a service check timer~~;
  - automatically transmitting a connection request if the previously established data connection is determined to be lost; and
  - re-establishing the data connection if the transmitted connection request is accepted by the wireless data network.
13. (Original) The method of claim 12, wherein the step of determining the data connection status is preceded by initializing the service check timer.
14. (Original) The method of claim 12, wherein the step of automatically transmitting the connection request is performed upon expiry of a back off timer.

15. (Currently amended) The method of claim 14, wherein the back off timer is initialized to a value based on a retry delay determined in response to a refusal of service message specified by a received Release Order.

16. (Currently amended) The method of claim 12, wherein ~~the step of determining the data connection status of the previously established data connection~~ includes comparing assigned network resources to default values.

17. (Original) The method of claim 16, wherein the step of comparing includes determining that no data connection is established when an assigned Internet Protocol address is set to 0.0.0.0.0.

18. (Currently amended) The method of claim ~~12~~ 4, including a step of forcing premature expiry of the service check timer upon receipt of a Release Order.

19. (Original) The method of claim 18, wherein the Release Order is a Point-to-Point-Protocol termination request.

20. (Currently amended) The method of claim ~~12~~ 2, wherein the connection request is an Origination Message.

21. (Currently amended) A mobile device for establishing and maintaining a data connection to a wireless data network, the mobile device comprising:

a back off timer for timing a back off period between retries to establish a data connection;

a service check timer for ~~timing a service check period~~ setting a minimum fixed interval after which an established data connection is checked to determine if it has been lost;  
and

a connection manager for determining if a data connection to between the mobile device and the wireless network exists or has been lost; ~~is established at expiry of the service~~

~~check timer~~, for resetting the service check timer upon its expiry if ~~a~~ the data connection exists;  
~~is established~~, for transmitting connection requests to the wireless network upon initialization,  
upon expiry of the back off timer, and upon expiry of the service check timer if the data  
connection ~~status is determination that the established data connection has been lost;[[,]]~~ and  
for resetting the back off timer in response to receipt of a connection rejection from the  
wireless network.

22. (Original) The mobile device of claim 21, wherein the wireless data network is a  
CDMA2000 network.

23. (Currently amended) The mobile device of claim 22, wherein the connection manager  
includes means to reset the back off timer in response to the receipt of one of a Retry Order, a  
Reorder Order and a Release Order, ~~such that the back off timer is greater than, or equal to, a~~  
~~retry delay specified in the Retry Order.~~

24. (Original) The mobile device of claim 21, wherein the connection manager  
includes an accumulator for tracking consecutive rejections of service, and means to reset the  
back off timer in accordance with the number of consecutive rejections.

25. (Currently amended) The mobile device of claim ~~22~~ 23, wherein the connection  
manager includes means for causing premature expiry of the service check timer in response to  
the receipt of a Release Order.

26. (New) The mobile device of claim 23, wherein the means to reset the back off timer  
includes means to reset the back off timer such that the back off time is greater than, or equal  
to, a retry delay determined in response to a Retry Order or a Release Order.

27. (New) The method of claim 6, wherein the the connection request is automatically  
transmitted upon detection of a new wireless data network.